

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-1902**

September 25, 2017

Chairman Rob Bishop  
House Natural Resources Committee  
1324 Longworth House Office Building  
Washington, D.C. 20515

Chairman Tom McClintock  
Subcommittee on Federal Lands  
House Natural Resources Committee  
1324 Longworth House Office Building  
Washington, D.C. 20515

Dear Chairman Bishop and Subcommittee Chairman McClintock,

I write today to respectfully request the House Natural Resources Committee's Subcommittee on Federal Lands hold a hearing on H.R. 763, the Acadia National Park Boundary Clarification Act. Specifically, I request that this hearing be scheduled prior to the end of the calendar year.

Acadia National Park is one of the most visited national parks in the United States. It is truly one of Maine's gems and holds a very special place in my heart, just like I know it does for so many other Mainers and Americans.

In 2015, a generous donor gifted 1,441 acres, known as Schoodic Woods, to Acadia. The surrounding communities and residents welcomed and celebrated this gift to the Park. There was consensus that this expansion would benefit visitation and tourism, while also strengthening conservation.

Many community leaders, residents, local legislators and the Maine congressional delegation were led to believe that the legal authority for the transfer lay in the Land and Water Conservation Act. It was only after the transfer took place the National Park Service (NPS) posted a notice in the Federal Register that the boundary change was made "pursuant to appropriate authorities." When pressed on what those "appropriate authorities" were, NPS cited a 1929 law that authorized the Secretary of the Interior to accept donations to the Park.

This was extremely disturbing news for the local communities. In 1986, after years of poor relations between the surrounding towns and Acadia due to a diminishing tax base as the Park continued to expand and acquire land, the Maine delegation at the time successfully passed a bill in Congress that established a clear boundary. President H.W. Bush signed this bill into law. This law was specifically meant to replace the 1929 law, and the 1986 law's implementation greatly improved relations between the local communities and Acadia.

The authority used for the Schoodic Woods gift threatens the good will that the National Park Service has built with the Bar Harbor Region. I have heard from hundreds of constituents that are pleased with

the Schoodic Woods expansion yet are very concerned as to whether the transfer is legal and-- if yes-- if it sets a precedent for other expansions that could occur in the future. That is what led me to introduce this important legislation.

This bill would make it clear that the 1929 law is repealed and would confirm the firm boundary that was described in the 1986 law. In the course of drafting this legislation, I also learned about several other issues where legislative action would be helpful so I included them in this bill as well, including an ongoing situation involving Maine wormers, clammers and other shellfish harvesters.

I've met with dozens of wormers, clammers and other harvesters who have told me that unpredictable enforcement in the intertidal zone in and around Acadia is threatening their livelihoods. Many of those harvesters and their families have been working on those mud flats for generations. In recent years, park officials have begun taking action to limit commercial harvesting in the intertidal and some harvesters report having been forced to dump the buckets of worms or clams they spent hours digging, losing their day's pay.

I assured the hard-working individuals that I've met with that I am committed to protecting traditional use of Maine's waters and woods, including the harvesting of our marine resources. I promised them I would fight to ensure they can work on those mud flats without fear of losing their harvest or the pay that their families depend on. That is why I have included a provision in this legislation that addresses this issue. Maine's public trust doctrine, which is unique to Maine and is often referred to as the "colonial law," has guaranteed for 350 years that Maine citizens have the right to access the intertidal zone to fish, fowl and navigate regardless of whether it is owned by a public or private land owner. This bill protects the rights of Mainers to harvest shellfish in the intertidal.

Finally, this legislation includes several other provisions that are important to my constituents, including that NPS fulfills a 1986 financial commitment to give \$350,000 to the Acadia Disposal District so area communities can improve their solid waste facilities, makes the Acadia National Park Advisory Commission permanent, and removes restrictions on a parcel of land in the Town of Tremont that has been unusable for decades so that it can finally be used for public purposes.

I have worked closely with all stakeholders to draft this bipartisan bill, including seeking input from several informed local, state and federal organizations and individuals, the Maine Department of Marine Resources, the Acadia National Park Advisory Commission, the Maine Clammers Association, the Independent Maine Marine Worm Harvesters Association, the Town of Cranberry Isles, the Town of Mount Desert, the Town of Tremont, Acadia National Park, Acadia Disposal District, the Alewife Harvesters of Maine, the Maine Elver Fisherman Association, local bait shops, and several individual clammer, wormer, mussels, and periwinkle harvesters.

As you can see, this comprehensive, common sense bill addresses a number of time sensitive issues. Without this legislation moving forward, I fear that the uncertainty for the local communities and for the hardworking shellfish harvesters will create unnecessary stress and conflict within the Bar Harbor Region. Thank you for your consideration of this request to hold a hearing on this important legislation as soon as possible so that we can start the process of moving this bill forward.

Sincerely,

  
Bruce Poliquin  
Member of Congress